IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 140 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SARDARSING GATORBHAI DOD

Versus

LAKHAJI SOMAJI THAKOR

Appearance:

1. Appeal from Order No. 140 of 2000

MR MB GANDHI for Appellant No.

MR MAHESH BHAVSAR for Respondent No. 1-2

MR KR BRAHMBHATT for Respondent No. 3-4

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 12/01/2005

ORAL JUDGEMENT

1. The appellant original plaintiff has preferred this Appeal from Order against the order dated 16/02/2000 passed below application Exh.5 by the learned Civil Judge (S.D.), Dholka in Special Civil Suit No.216 of 1996, whereby the injunction application was dismissed.

2. While admitting this Appeal from Order, this Court in Civil Application No.2602 of 2000 had directed the parties to maintain status quo with respect to the suit land in question.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the appellant is directed to make an application for expediting the hearing of the said Suit since the suit is of the year 1996.

4. Therefore, without entering into the merits of the matter, the appellant is directed to make an application for expediting the hearing of Special Civil Suit No.216 of 1996 pending before the learned Civil Judge (S.D.), Dholka. On receipt of the said application from the appellant, the trial Court shall hear and dispose of the same as expeditiously as possible.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K.S. JHAVERI, J.]
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